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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCIANO PLATA, et al.,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

Case No. C01-1351 TEH

**[PROPOSED] ORDER DENYING
DEFENDANTS' ADMINISTRATIVE
MOTION TO REMOVE
CONFIDENTIAL MATERIAL
DESIGNATION FROM RECEIVER'S
FACILITY PROGRAM STATEMENT,
SECOND DRAFT**

On September 26, 2008, Defendants filed an Administrative Motion To Remove Confidential Material Designation from the Receiver's draft Facility Program Statement. On September 29, 2008, the Receiver filed his opposition to the Administrative Motion. The Court, having considered the Administrative Motion and the opposition thereto, and good cause appearing, hereby DENIES the Administrative Motion.

IT IS SO ORDERED.

Dated: _____, 2008

Hon. Thelton E. Henderson
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies as follows:

I am an employee of the law firm of Futterman & Dupree LLP, 160 Sansome Street, 17th Floor, San Francisco, CA 94104. I am over the age of 18 and not a party to the within action.

I am readily familiar with the business practice of Futterman & Dupree, LLP for the collection and processing of correspondence.

On September 29, 2008, I served a copy of the following document(s):

[PROPOSED] ORDER DENYING DEFENDANTS' ADMINISTRATIVE MOTION TO REMOVE CONFIDENTIAL MATERIAL DESIGNATION FROM RECEIVER'S FACILITY PROGRAM STATEMENT, SECOND DRAFT

by placing true copies thereof enclosed in sealed envelopes, for collection and service pursuant to the ordinary business practice of this office in the manner and/or manners described below to each of the parties herein and addressed as follows:

— BY FACSIMILE: I caused said document(s) to be transmitted to the telephone number(s) of the addressee(s) designated.

X BY MAIL: I caused such envelope(s) to be deposited in the mail at my business address, addressed to the addressee(s) designated below. I am readily familiar with Futterman & Dupree's practice for collection and processing of correspondence and pleadings for mailing. It is deposited with the United States Postal Service on that same day in the ordinary course of business.

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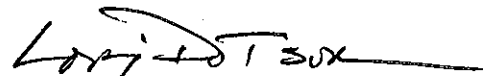
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19 I declare that I am employed in the offices of a member of the State Bar of this Court at
20 whose direction the service was made. I declare under penalty of perjury, under the laws of the
21 united State of America, that the above is true and correct.

22 Executed on September 29, 2008 at San Francisco, California.

23 

24 Lori Dotson